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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	2:12-CR-097-GMN-(VCF)
)	
Plaintiff,)	
)	
v.)	Preliminary Order of Forfeiture
)	
RICHARD CARL BROWN,)	
)	
Defendant.)	

This Court finds that defendant Richard Carl Brown pled guilty to Counts Three and Four of a Four-Count Criminal Indictment charging him in Count Three with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2) and in Count Four with Possession of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant Richard Carl Brown agreed to the forfeiture of the property set forth in the Plea Agreement, the Second Amended Bill of Particulars, and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Second Amended Bill of Particulars, ECF No. 195; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement, the Second Amended Bill of Particulars, and the Forfeiture Allegation of the Criminal Indictment and the offenses to which defendant Richard Carl Brown pled guilty.

1 The following property is (1) any visual depiction described in Title 18, United States
2 Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which
3 contains any such visual depiction, which was produced, transported, mailed, shipped or received
4 in violation of Title 18, United States Code, Section 2252A(a)(2) and 2252A(a)(5)(B) and (2)
5 any property, real or personal, used or intended to be used to commit or to promote the
6 commission of Title 18, United States Code, Section 2252A(a)(2) and 2252A(a)(5)(B) or any
7 property traceable to such property, and is subject to forfeiture pursuant to Title 18, United States
8 Code, Section 2253(a)(1) and 2253(a)(3):

- 9 1. Silver Cooler Master PC Tower with unknown serial number;
- 10 2. Mass Cool Hard Drive Enclosure containing a 1.5 TB Western Digital hard drive
11 bearing serial number WCAVU0305751;
- 12 3. Black Cooler Master Computer PC Tower bearing serial number
13 921001V600603; and
- 14 4. Mass Cool Hard Drive Enclosure bearing serial number UHB-360US
15 (all of which constitutes property).

16 This Court finds that the United States of America may amend this order at any time to
17 add subsequently located property or substitute property to the forfeiture order pursuant to Fed.
18 R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

19 This Court finds the United States of America is now entitled to, and should, reduce the
20 aforementioned property to the possession of the United States of America.

21 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
22 the United States of America should seize the aforementioned property.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights,
24 ownership rights, and all rights, titles, and interests of Richard Carl Brown in the aforementioned
25 property are forfeited and are vested in the United States of America and shall be safely held by
26 the United States of America until further order of the Court.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
2 America shall publish for at least thirty (30) consecutive days on the official internet government
3 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
4 property, state the time under the applicable statute when a petition contesting the forfeiture must
5 be filed, and state the name and contact information for the government attorney to be served
6 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
7 Section 853(n)(2).

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
9 entity who claims an interest in the aforementioned property must file a petition for a hearing to
10 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
11 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
12 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
13 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
14 facts supporting the petitioner's petition and the relief sought.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
16 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
17 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
18 sixty (60) days after the first day of the publication on the official internet government forfeiture
19 site, www.forfeiture.gov.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
21 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
22 the following address at the time of filing:

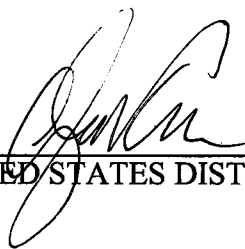
23 Michael A. Humphreys
24 Assistant United States Attorney
25 Daniel D. Hollingsworth
26 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
2 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
3 agency following publication of notice of seizure and intent to administratively forfeit the above-
4 described property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
6 of this Order to all counsel of record.

7 DATED this 29 day of May, 2018.

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12 UNITED STATES DISTRICT JUDGE
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